1940-47 **File No.** 4248/36

P.W. DEPARTMENT

A CLASS E. BRANCH

Subject:— Indian Civil Service Family Pension Fund (Untransferred) section Rules 1939

A[K]

File No. 4248/36

Std. Sectt. Slip 24-A

G R., G D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No. 4248/36

Public Works DEPT.

M. BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

For further orders pl. see G. E. paras. P & R. D., No. 1716/34-D, dated the 11-1-51 (3598/48/4185)

For up-to-date copy of the Rules please see pages 19-37 of C/S of file No. 3598/ 48.

Finance Department.

Notification.

New Delhi, the 30th November 1939.

No. F. 27 (6)-R. 11/39:— The following rules made by the Secretary of State for India are published for general information:—

THE INDIAN CIVIL SERVICE FAMILY PENSION FUND

(UNTRANSFERRED SECTION) RULES, 1939.

In I, Lawrence John, Lumley, Marquess of Zetland, one of His Majesty's Principal Secretaries of State, in virtue of the powers conferred by Section 273 of the Government of India Act, 1935 , hereby make, with the concurrence of my Adviser, the following Rules, namely :—

1:— (1) These Rules may be cited as " The Indian Civil Service Family Pension Fund (Untransferred Section) Rules, 1939".

(2) They apply to everyperson who was, on 31st March, 1937 a subscriber or a beneficiary under the Indian Civil Service Family Pension Rules then in force and whose interest in the Indian Civil Service Family Pension Fund has, in pursuance of the provisions of subsection (3) of section two hundred and seventy-three of the Government of India Act, 1935, and of paragraphs nineteen and twenty-two of the Government of India (family Pension Funds) Order, 1936 , note been vested in Commission

2. All sums contributed or paid as hereinafter prescribed shall be credited to an account entitled the " [illegible] Indian Civil Service Family Pension Fund (Untransferred Section)" to which shall likewise be debited the pensions or other benefits payable under these Rules. At the close of each half-year the Fund shall be credited with interest on the balance outstanding at the commencement of the half-year at such rate or rates as may be fixed from time to time by the central Government vide slip attached.

The balance standing from time to time at the credit of the Fund shall be a sterling liability of the Central Government.

3—.....

3— (i) Every officer to whom these rules apply (hereinafter referred to as a subscriber) shall make the contributions and payments* hereinafter prescribed.

(ii) There shall be paid from the Revenues of the Central Government to every beneficiary, and to the dependants of every subscriber, to whom these rules apply, at the rates and under the conditions hereinafter prescribed,

(a) pensions or other benefits to be met from the Pension Fund;

(b) pensions or other benefits to be met from Public Funds.

Provided that the pensions payable under Clause (b) of this Sub-rule to the dependants of any subscriber who on the 31st March, 1937, was included in the Burma cadre of his service and after that date became a member of a Burma Service shall, if the Central Government (vide slip attached) makes provision to that end, be payable from the Revenues of Burma and not from the Revenues of the Central Government.

4. The Provisions of the Indian Civil Service Family Pension Fund Rules shall apply in relation to the persons to whom these Rules apply as they apply in relation to any persons to whom those Rules apply, subject, however, to the following exceptions and modifitications:—

(i) Rules 2,3,4, 26 A and 26 B and the provision in Rule 5 relating to the reduction of pensions in consequence of the transfer of the fund to Commissioners, shall be omitted.

(ii) In Rule 19 (2) for the words "by Government as provided in Clause (b) of Sub-rule 2 (2) theof these Rukes" there shall be substituted the words "from Public Funds".

(iii) In Rule 25 (2) the reference to the Indian Civil Service Family Pension Fund shall be construed as a reference to the Indian Civil Service Family Pension Fund (Untransferred Section).

(iv) For the Seventyh Schedule the Schedule appended to these Rules shall be substituted.

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* These contributions and payments are fixed in sterling, and when recovered or paid in India or Burma are convertible into rupees at the current rate of exchange.

(v) The Eighth and Ninth Schedules shall be omitted.

5. The Indian Civil Service Family Pension Fund (Untransferred Section) Provisional Rules are hereby repealed.

Secedule.

Annual pension payable to a widow during widowhood.

	Class of Husband at death.				
	I.	II.	III	IV	V
	£	£	£	£	£
Met from the pension fund.	450	390	330	265	225
Met from Public Funds.	—	60	120	110	150.
	450	450	450	375	375.

Of the portion of the above pensions met from the contributions of subscribers, the undermentioned amounts are granted temporarily, and a widow's pension in course of issue is therefore liable to reduction not exceeding these amounts:—

Class I, II, and III, £ 20

Class IV, and V £ 16, 13s 4d.

Annual pension payable to a father less child whose mother is living.

	From birth till age of 16 years.	From age of 6 till age of 12 years.	From age of 12 years.
	£ s. d.	£ s. d.	£ s. d.
Met from the pension fund.	31-5 - 0	62-10-0	125—0-0
Met from public Funds.	5-5 - 0	12-10- 0	25- 0 - 0
	37-10- 0	75- 0- 0	150- 0 - 0

Of the portions of the above pensions met from the contributions of subscribers in each period amounts of £1 13s 4d. £3 6s 8d and £6 13s 4d respectively are granted temporarily, and an orphan's pension in course of issue is therefore liable to reduction not exceeding this amount:—

Pensions payable to sons over the age of 24 under the proviso to Rule 19 (1) will be met wholly from the pension fund.

The annual pension payable to an orphan of whatever age who has lost both parents is £150 (of which £6 13s 4d. is granted temporarily) met as follows:—

	From Birth till age of 6 years.	From age of 6 till age of 12 years.	From age of 12 years.
	£ s d.	£ s. d.	£ s. d.
Met from the pension fund.	68-15-0	87-10-0	125-0-0
Met from public funds.	81-5-0	62-10-0	25-0-0
	150-0-0	150-0-0	150-0-0

An ~~orphan~~ orphan who is in receipt of pension at a rate lower than £ 150 on the date of the mother's death shall be entitled to the enhanced pension with effect from the following day.

Given under my hand this eleventh day of September, 1939.

Zetland,

One of His Majesty's Principal

Secretaries of State.

R. S. Symons.

Deputy Secy. to the Govt. of India.

Evrv.

No. F. 27 (6)-R . II/39.

Copy forwarded to all Provicial Governments, and Chief Commissioners, all Departments of the Government of India, the Political Department, the Secretaries to the Governor General (Personal, Public and Defence Co-ordination) the Private Secretary to His Excellency the Viceroy, the Secretary to the Executive Council, the Federal Court, the Principal Information Officer, the Federal Public Service Commission , the Accountant General, Central Revenues, and the Auditor General of India.

By order, etc,

S. RANGANATHAN,

Under Secy. to the Govt. of India.

Below copy of a Notification of the Government of India, Finance Department, No. F. 27(6) -R. II/39 , dated the 30th November • 1939 , publishing " The Indian Civil Service Family Pension Fund (Untransferred Section) Rules 1939."

—X—

No. 1796/34-D.

Political and Services Department.

Bombay Castle, 6th January 1940.

Forwarded with compliments for information to.—

The Honorary Secretary, I. C. S. Association, Bombay Branch,

The Secretary to the Governor,

The Accountant General, Bombay,

All Departments of the Secretariat,

The undermentioned subscribers to the Untransferred Section of the I. C. S. Family Pension Funds.

M. D. Bhat Esquire, ICS.,

W. G. H~~ull~~ Holland ~~and~~ Esquire, ICS.,

The Hon. Mr. Justice K. C. Sen., ICS.,

G, S. Rajadhyaksha Esquire, ICS.

P. N. Moos Esquire, ICS. ,

G . H. Guggali Esquire, ICS.,

R.W.M. Davies Esquire, ICS.,

H. K. Kirpalani Esquire, CIE., ICS.,

By order of the Governor of Bombay,

V. H. VACHHRAJANI,

For Cheif Secretary to the Government of Bombay,

Political and Services Department.

Evrv.

No. D/1205-F
Government of India.
Finance Department.

New Delhi, the 21st March 1940.

From

P. C. Bhattacharyya, Esquire, M. A.,
Under Secretary to the Government of India,

To.

All Provincial Governments and Chief Commissioners.

Subject:— Superior Services (India) Family Pensions (Untransferred).

Sir,

I am directed to enclose a copy of the India Office letter No. A. G. 2164/40 E, dated the 17th February 1940, on the above subject and to state that the Accounts Officers are being instructed to adjust the transactions relating to the Superior Services (India) Family Pensions (Untransferred), in the manner suggested by the Secretary of State.

I have the honour to be,
Sir,
Yours most obedient servant,
P. C. Bhattacharyya,

Under Secretary to the Government of India.

Copy of letter No. A. G. 2164/40-E, dated the 17th February 1940 from the Accountant-General, India Office, Whitehall, London, to the Government of India, Finance Department, New Delhi.

I am directed to refer to the letter from this Office No. A. G. 14903/39 dated 10th February 1940 forwarding copies of the rules made by the Secretary of State in respect of the Superior Services (India) Family Pensions (Untransferred). In consequence of the decision to discontinue the existence of the Untransferred Section as a Fund, the receipts and payments under the rules will in future be adjustable against Revenue. The transactions in India, Burma and this country have hitherto been consolidated in the accounts of the Secretary of State. This will no longer be necessary, and it is assumed that you will issue the necessary instructions to enable debits and credits arising in India and Burma after 31st March 1940 in connection with the Superior Services (India) Family

Pensions (Untransferred) to be brought to account in India. The receipts and payments of the High Commissioner will similarly be adjustable in his accounts. The accumulated balance at 31st March 1940 under "Unfunded Debt" on the books of the Secretary of State will be written off to "Government Account". the balance at 31st March 1939 was £ 170, 331. 16s 6d.

As the liability in respect of the pensions under these rules has already been taken into account in the general Debt settlement between India and Burma, the charges will of course require to be excluded from the division with Burma of fully-earned pensionary charges.

Copies of this letter are being sent to the Finance Department of the Government of Burma, to the High ~~Comis~~Commissioner and to the Accountant General, Central Revenues. ~~No. 1713/33/7208 - F.~~

No 1713/33/7208 - F

Finance Department.
Bombay Castle, 9th April 1940.

Copies forwarded to all Departments of the Secretariat (Except the Separate Department) for information and guidance .

By order of the Governor of Bombay,

For Deputy Secretary to the Government of Bombay, Finance Department.,

Evrv.